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Mayer & Williams PC
Intellectual Property Law

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Fax - Special Processing Submission

To: Office of Petitions From: Marjorie Scariati

Fax: 571-273-8300 Pages: 6

Phone: Date: 9/1/06

Re: 09/892,212 CC:

Urgent For Review Please Comment Please Reply Please Recycle

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Please see the attached re-submitted Petition to Withdraw Holding of Abandonment Based on Failure to Receive Office Action, which was originally submitted on May 23, 2005 but has not yet received a decision.

The attached is being resubmitted today in order to indicate it is a "SPECIAL PROCESSING SUBMISSION", and the re-submission includes a copy of the PTO's fax confirmation of receipt of the original submission on May 23, 2005.

Serial No.: 09/892,212

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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SEP 01 2006

Applicant: Tony S. Kaushal

Serial No.: 09/892,212

Filed: 06/25/2001

Title: EROSION-RESISTANT COMPONENTS FOR PLASMA PROCESS CHAMBERS

Art Unit: 1775

Examiner: Jennifer C. McNeil

Confirm. No.: 1445

Docket No.: 005231 ALRT/ETCH/DRIE

Via Facsimile: 703-308-6916 872-9306

Attn: Office of Petitions
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**PETITION TO WITHDRAW HOLDING OF ABANDONMENT BASED ON
FAILURE TO RECEIVE OFFICE ACTION UNDER 37 CFR 1.181(a) AND
STATEMENT ACCOMPANYING PETITION**

Sir:

This Petition to Withdraw Holding Of Abandonment Based On Failure To Receive Office Action is filed in response to the Notice of Abandonment mailed February 23, 2005.

As per the Notice of Abandonment, the applicant failed to file a response to the Office Action mailed July 28, 2004. This failure to file a response was unintentional as the Office Action was never received by the applicant, Applied Materials, Inc.

Enclosed please find a statement signed by a representative of the Assignee, Applied Materials, Inc., in which the representative states that the Office Action was not received, and attests to the fact that a search of the file jacket and docket records indicates that the Office Action was not received. A copy of the docket record where the non-received Office Action would have been entered had it been received and docketed is enclosed as well.

Serial No.: 09/892,212

In view of the above circumstances, Applicant hereby petitions the Commissioner to grant this Petition to Withdraw Holding of Abandonment Based on Failure to Receive Office Action. It is respectfully requested that the Notice of Abandonment be withdrawn, and that the Office Action be remailed to the Assignee, Applied Materials, Inc., with a new period for response set to expire 3 months from the mailing date of the remailed Action.

While it is not believed that any fees are due as a result of this Petition to Withdraw Holding of Abandonment, the Commissioner is hereby authorized to charge any fees that may be due to the undersigned attorney's PTO Deposit Account #50-1047.

Respectfully submitted,

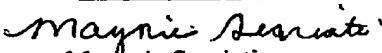

David B. Bonham Reg. No. 34,297

Attorney for Applicant
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Westfield, NJ 07090

Tel.: 703-433-0510
Fax: 703-433-2362

CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this document, and any document referenced herein, has been transmitted via facsimile to the US Patent and Trademark Office, Office of Petitions at (703) 308-6916 on 5/23/05.


Marjorie Scariati
(Printed Name of Person Faxing Correspondence)

PLEASE CONTINUE TO SEND ALL CORRESPONDENCE TO:

Applied Materials, Inc.
2881 Scott Blvd, M/S 2061
Santa Clara, CA 95050

To The Office of Petitions:

The undersigned states that the Office Action mailed to Applied Materials, Inc. on July 28, 2004 in patent application 09/892,212 was never received at the office of Applied Materials, Inc. A search of the file jacket and docket records confirms that the Office Action mailed July 28, 2004 was never received. A copy of the docket record where the non-received Office Action would have been entered had it been received and docketed is attached hereto.

Signed:



Printed name and title:

Sheri Griffin
Patent Administrator

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05/23/05 14:01 FAX 408 563 6492

APPLIED MATERIALS

200 ④

Patent Information Print			
05/23/2005			
Docket No	003231	Next Tax Dt	Mayer Fortkort and Williams
Country	United States	Associate	IBSS
Case Type	REGULAR CASE TYPE	PBG	Sheri GRIFFIN
Relation Type	ORIGINAL OR PATENT CASE	Patent Admin	
Filing Type	NATIONAL CASE	Orig Office	
Filing No		Add'l Atty	
Attorney	Loretta A PETERS	OPP PTY	
Law Firm	Mayer Fortkort and Williams	Add'l Billing Agt	Robert W Mulcahy
Client\Division	Applied Global Services	Ag Ref No	6000/04
Current Owner	Applied Materials, Inc.	Rating	
Prev Own		Module	
AMJ#		Assoc Div	
Status	APPLICATION IS FILED	SAP Upload	
First Filing Dt	06/25/2001	Oppn/App No	
Sub Stat		Oppn/App Dt	
Sub Stat Dt		Reel/Frame	
Parent Country	United States	Assgn Dt	11956/0087
Parent Filing Dt	06/25/2001	Reel/Frame #2	06/25/2001
Parent No	09/892,212	2nd Assign Date	
Parent Grant Dt		Archive Loc	
Total Claims	29	Archive Dt	
Ind. Claims	2	AGNT-REF NO #2	
Application #	09/892,212	Cust No	1449
Application Dt	06/25/2001	Confm No	
Patent No		Govt Cont No	1733
Grant Dt		Grp Art Unit	N
Publication #	2004-0033385	Verified	AZPP
Publication Dt	02/19/2004	Customer	06/26/2001
Assigned	ASSIGNMENT RECORDED	Create Dt	03/22/2005
Expiration Dt		Update Dt	0937
Conv Type	FIRST FILED CASE	Update Tm	
Tax Base Dt		Update User	SRG
Govt Cont		Update Type	

Actions

Action	INVENTOR FILING AWARD DUE	Comp Dt	09/01/2001
Act Due Date	07/18/2001	Resp Pty #1	
Taken Dt		Resp Pty #2	
Deadline Dt			
Action	Notice of Missing Parts	Comp Dt	09/27/2001
Act Due Date	10/15/2001	Resp Pty #1	
Taken Dt		Resp Pty #2	
Deadline Dt			
ACT NOTES			
REQUEST WITHDRAWAL OF NMP./DB			
MFW to take care of this. NMP was sent in error. SIGS were filed on time/seq			
Action	PCT Search Rpt Published-ID5?	Comp Dt	10/06/2003
Act Due Date	01/15/2003	Resp Pty #1	
Taken Dt	11/08/2002	Resp Pty #2	
Deadline Dt			
ACT NOTES			
mayer			
Action	Revised Publication Date	Comp Dt	02/19/2004
Act Due Date	02/19/2004	Resp Pty #1	
Taken Dt		Resp Pty #2	
Deadline Dt			
Action	Official Action Due Date	Comp Dt	04/30/2004
Act Due Date	04/30/2004	Resp Pty #1	
Taken Dt		Resp Pty #2	
Deadline Dt	07/30/2004		
Action	RESPONSE TO ABANDONMENT	Comp Dt	
Act Due Date	03/23/2005	Resp Pty #1	
Taken Dt	03/22/2005	Resp Pty #2	
Deadline Dt			
ACT NOTES			
Copy to Marj @ MFW/SRG			
Action	Supplemental IDS filed	Comp Dt	12/02/2002
Act Due Date		Resp Pty #1	
Taken Dt		Resp Pty #2	

05/23/05 14:01 FAX 408 598 4942 APPLIED MATERIALS

003

Deadln Dt			
Action Act Due Date	Foreign Filing Recommended	Comp Dt Resp Pty #1 Resp Pty #2	05/15/2002 Mark O'BOYLE
Taken Dt			
Deadln Dt			
Action Act Due Date	Certified Copies ordered fro	Comp Dt Resp Pty #1 Resp Pty #2	07/24/2002
Taken Dt	05/17/2002		
Deadln Dt			
Action Act Due Date	Information Disclosure State	Comp Dt Resp Pty #1 Resp Pty #2	06/25/2001
Taken Dt			
Deadln Dt			
Action Act Due Date	Foreign to be Completed by:	Comp Dt Resp Pty #1 Resp Pty #2	06/25/2002 Mark O'BOYLE
Taken Dt	06/05/2002		
Deadln Dt	06/25/2002		
ACT Notes			
6/25/2002-FILED TW./DB			
6/24/2002-FILED PCT./DB			
6/6/2002-BSTZ CONFIRMS REC'T OF INSTR TO FILE PCT./DB PER MOB, CPS will support, transfer to CPS, file PCT E, J, S , Malaysia, CHINA, EPC -GERM, FR, UK and direct in TW, insts to Blakley and TSAI/eas			
5/7/2002-SHAN WILL NOT PAY FOR FOREIGN FILING, MADE REQUEST TO CPS TO ADOPT./DB			
Action Act Due Date	Filing Receipt Received	Comp Dt Resp Pty #1	11/21/2003
Taken Dt			
Deadln Dt			